

## **COVID-19 Q&A for Schools**

Updated: April 29, 2020, 5 p.m.

**This document has been updated as follows:**

- Updated: Q-3 under Instructional Hours Requirements (changed screenshot)

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## **Instructional Hours Requirements**

**Q-1: In the event of an extended school closure due to COVID-19, will schools be required to meet the instructional hours requirement of SDCL 13-26-1?**

**A-1:** On March 30, 2020, the Governor proposed, and the Legislature passed, SB 188. The new law allows the Secretary of Education, under the Governor's declared state of emergency, to waive instructional hours missed because of unexpected closures during the 2019-20 school year. Most schools have been able to provide flex learning during the time that schools have been closed due to COVID-19. These efforts will count towards the minimum hour requirements of SDCL 13-26-1.

If a school is unable to meet the minimum hours requirement, even with flex learning efforts, the secretary will waive the requirement upon receipt of the "Notification: Plan to Instruct during School Closure" form, available at <https://doe.sd.gov/coronavirus> under "Forms."

In June 2020, a letter will be sent to each accredited school that has submitted "Notification: Plan to Instruct during School Closure" form showing end-of-school year calendar hours and descriptions of the five flex learning components.

This letter will be the formal documentation for accredited schools to file and use in reference to SB 188.

**Q-1 (a): What is the process for filling out the "Notification: Plan to Instruct During School Closure" form described in Q-1?**

**A-1 (a):** After a school district's year has ended, the district is to email the completed form "Notification: Plan to Instruct During School Closure" to [DOEAccred@state.sd.us](mailto:DOEAccred@state.sd.us). The form is available at <https://doe.sd.gov/coronavirus> under the "Forms" link.

The form has two parts:

- The first part asks for a list of schools and hours that flex opportunities were provided.
- The second part asks districts to describe their processes in five areas related to flex learning.

With this form completed and submitted, no other documentation should be necessary.

**Q-1 (b): What if a district sent a form in the first few weeks of the closures, and we now know that schools will be closed through the end of the 2019-20 school year?**

**A-1 (b):** First of all, thank you for the submission. At the time the form was originally shared, it was unknown how long school closures would be needed. With the updated information, we are asking those that already sent the form to:

- Please send one final updated form *after the district has completed its school year*, per its official school calendar.
- If the initial form that was submitted did not include the required descriptions, please add those descriptions to this final document.

**Q-2: My school will be providing flex learning and wants the time to count towards the minimum hours requirements. I need help filling out the chart on the “Notification: Plan to Instruct during School Closure” form.**

**A-2:** The brief example (below) would be the total hours the district is notifying the department that it provided flex-learning. The reason is also a sample of what could be listed.

Name of School	Grade Span Number of Hours			Dates	Reason
	K	1-5	6-12		
River Side Elementary	50 hrs. total = 50 days X 1 hour a day of flex learning	150 hrs. total = 50 days X 3 hours a day of flex learning		March 16 – May 21, 2020	Flex learning hours provided during the days sites were closed due to COVID 19 response.
River View Middle and High School			200 hrs. total = 50 days X 4 hours a day of flex learning	March 16 – May 21, 2020	Flex learning hours provided during the days sites were closed due to COVID 19 response.

**Q-3: If my school does not provide any instruction such as flex learning during extended school closure, how do I adjust our calendars in Infinite Campus to account for this time?**

**A-3:** To appropriately mark this time in Infinite Campus, your Infinite Campus Administrator will need to create a code within the Attribute Dictionary for COVID-19. Please use C19 as your code and COVID-19 as the name. The state has set up this code in the State Edition of Infinite Campus, but for it to sync correctly to the state, you must use the same code and the same name. These fields must match what the state has set up. See screen prints below.

The screenshot shows the 'Campus Attributes/Dictionary Editor' window. On the left is a sidebar with a tree view of attribute categories, including 'System Administration'. The main window displays a list of existing codes and a 'Type Dictionary Detail' table.

**Type Dictionary Detail Table:**

Code	Name	Seq	Value	Standard Code	Active
X C19	COVID-19				<input checked="" type="checkbox"/>
X AD	Abbreviated Day	0			X
X CH	Holiday - Christmas	0			X
X IO	In Service Optional	0			X
X IS	In Service	0			X

## 19-20 Alpena Hi Sch

Calendar Grade Levels Schedule Structure Terms Periods **Days**

Save Day/Day Events Delete Day/Day Events Day Reset Print Multi Day Event

May 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					01	02
03	04	05	06	07	08	09
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Event on this Day

Day Detail		
Date	Day #	
05/06/2020	Not an instructional day.	
Period Schedule		
Day		
School Day	Instruction	Attendance
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Start Time	End Time	Duration
		0
Comments		
School year ended		

Day Events		
Type	Duration Inst.	
		Minutes
X C19: COVID-19	0	0

**Q-4: Do I need to adjust the school calendar if the school is closed but students are doing some form of flex learning?**

**A-4:** No. The calendar shall remain as is reflecting days of instruction. Superintendents were instructed to fill out this form on the DOE website:

<https://doe.sd.gov/coronavirus/documents/NotificationPlantolInstruct.doc>

## Attendance

**Q-4 (a): For days being done using flex learning, do I need to record attendance in Infinite Campus?**

**A-4 (a):** Yes, attendance should be taken each day that flex learning occurs. How attendance is defined is per the local school district policy.

## **Assessment**

**Q-5: In light of school closures statewide, will schools be required to administer state assessments?**

**A-5:** The South Dakota Department of Education submitted and was approved for a federal waiver of statewide assessment, accountability, and school identification requirements for the 2019-20 school year. Through this waiver, schools do not need to administer statewide assessments to students.

Since state assessment is also in state law, Gov. Noem proposed, and the SD Legislature approved, SB 189 addressing statewide assessment. The bill exempts schools from having to deliver the state assessment during SY 2019-20. It also removes the requirement for homeschool students to take the assessment in SY 2019-20.

**Q-6: Assuming schools are back in session and state testing proceeds, will individual students who are quarantined due to positive identification of COVID-19 be required to complete the state assessments?**

**A-6:** This question is no longer relevant since South Dakota received a waiver for administering its state assessment in SY 2019-20.

## **Accountability**

**Q-7: What will DOE be doing for the annual accountability process?**

**A-7:** The South Dakota Department of Education submitted and was approved for a waiver of statewide assessment, accountability, and school identification requirements for the 2019-20 school year. Through this waiver, schools do not need to administer statewide assessments to students this year. This, in turn, impacts certain provisions of the accountability and process. For example, there will be no new identification of schools for Comprehensive and Targeted Support. Schools currently identified in these categories will continue to receive supports in SY 2020-21.

## **Special Education**

*IMPORTANT NOTE: The responses presented in this section generally constitute informal guidance based on the context presented herein and are not legally binding. The Q & As are not intended to be a replacement for the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (Title II), and their implementing regulations.*

**Q-8: Are school districts required to continue to provide a free appropriate public education (FAPE) to students with disabilities during a school closure caused by a COVID-19 outbreak?**

**A-8:** If a school district closes schools to slow or stop the spread of COVID-19, and does not provide any educational services to the general student population, then it would not be required to provide services to students with disabilities during that same period of time. Once school resumes, the district must make every effort to provide special education and related

services to the child in accordance with the child's individualized education program (IEP) or, for students entitled to FAPE under Section 504, consistent with a plan developed to meet the requirements of Section 504.

If a school district continues to provide educational opportunities to the general student population during a school closure, the school must ensure, that students with disabilities have equal access to the same opportunities. To the greatest extent possible, the district must ensure that each student with a disability be provided the special education and related services identified in the student's IEP developed under IDEA, or a plan developed under Section 504. (34 CFR §§ 300.101 and 300.201 (IDEA), and 34 CFR § 104.33 (Section 504)).

**Q-9: How should school districts prepare and provide special education services if flex learning opportunities are being implemented?**

**A-9:** When considering flex learning opportunities for students with special needs, districts should prioritize health and safety of students, staff and communities. Districts need to be flexible and consider employing a variety of delivery options. There is no defined or correct delivery method that will equitably meet the needs of all students. Districts should identify and acknowledge service delivery limitations and discuss how to implement a student's IEP plan to allow the student to meaningfully participate and progress in the general curriculum.

Districts should be communicating with parents prior to, during, and after a school closure regarding their child's IEP services. District leaders should identify communication methods to ensure there are opportunities for parents' questions and concerns to be addressed in a timely manner.

**Q-10: What if the district is not able to identify and provide an appropriate flex learning opportunity for a student with disabilities?**

**A-10:** Some districts may be in a position to continue teaching using distance learning methods; however, equity is a critical consideration. It is important to note that if educational services are being delivered to students in any form, in order for the district to remain open, those services must be provided to all students, including students who don't have access to technology at home, and students receiving special education services.

After an extended closure and/or flex learning opportunity, districts are responsible for reviewing how the closure impacted the delivery of special education and related services to students eligible for these services. Districts should plan to hold IEP team meetings when school resumes to address student-specific needs resulting from the closure and flex learning time. This might include discussions of compensatory education and/or extended school year (ESY) services made on a case-by-case basis.

**Q-11: What should a district do about SPED timelines during closure and extended social distancing?**

**A-11:** Districts should consider ways to use distance technology (e.g., Zoom, conference calls, Microsoft Teams, Signal) to the extent possible to provide child find, hold initial and annual IEP

meetings, and/or evaluation/eligibility meetings, if staff and parents are available but not able to attend in person. Continuing to complete IEP and evaluation/eligibility meetings will help decrease the workload when school resumes. If staff and/or parents are not available or believe their participation is impacted by the lack of an in-person meeting, districts should document the reason and complete the activity in a timely manner following the ending of school closures.

**Q-12: If a student is at high risk and needs to remain in quarantine, how should the district proceed with the provision of special education and IEP documentation?** *Clarification: This question relates to when the school is open for all students and only the individual student is in quarantine, not when there is a total school closure.*

**A-12:** If the exclusion is a temporary emergency measure (generally 10 consecutive school days or fewer), the provision of services such as instructional telephone calls, homework packets, internet-based lessons and other available distance-based learning approaches is not considered a change in placement.

For long-term exclusions, a district must consider the continuum of alternative placements and make a determination of placement. A change in placement must be made by the IEP team. If the team determines that the child's needs could be met through homebound instruction, then the district must amend the IEP and issue a prior written notice.

**Q-12 (a): Should all student IEPs be amended when extended flex learning instruction caused by the COVID-19 pandemic is being offered to all students?**

**A-12 (a):** The federal guidance received to date does not clearly state when a school district is required to amend an IEP based upon the need to move to a flex learning model due to the COVID-19 pandemic. In general, this is a change in how education is being offered for all students. Reasonable efforts to continue learning in an equitable manner to that being provided for general education should be provided to students with disabilities.

Students with disabilities should be provided flex learning opportunities that allow them to progress in the regular program and additionally be provided accommodations and/or additional services and supports to progress on IEP goals.

Clear lines of communication should be in place with families, and districts should keep documentation of the duration of flex learning and the instruction and supports provided. In some cases, particularly if programming is significantly different than what is being done for the majority of students, an IEP amendment and prior written notice may be necessary to document individualized decisions to meet the particular to the needs of the child.

Upon return to normal school operations, each IEP team for students with disabilities must review progress made during flex learning to make an individualized determination whether equitable instruction and a FAPE was provided. In most cases students will have been provided equitable instruction and a FAPE but may require amendments to the IEP to address any changes in student needs due to the extended flex learning and/or extended school year services. In some cases, teams may determine equitable instruction and a FAPE was not

provided in whole or part, in these cases the team needs to determine and document what compensatory services are needed.

**Q-12 (b): Are electronic signatures allowable for consent items for special education?**

**A-12 (b):** The IDEA does not specify how written consent must be obtained. Therefore, schools that wish to utilize electronic or digital signatures for consent may do so if they choose. Parts B and C of the Individuals with Disabilities Education Act both allow for the use of electronic signatures provided necessary safeguards are in place. Such safeguards are consistent with the Family Educational Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability Act (HIPAA) guidelines. Electronic signatures can be used to capture parent consent and are applicable even when parents do not have direct access to a data system via a parent portal.

**Key Considerations:**

- FERPA and HIPAA allow for the use of electronic signatures as long as processes are in place to authenticate the identity of the person signing, that is, to make sure the person is who they say they are.
- Other considerations are the security and protection of the signature itself (for example, through the use of encryption) and issues related to whether and how the signature and related identity authentication data elements are stored.
- Alternatives to maintaining parent/guardian electronic signatures in the state data system include allowing local programs to maintain the electronic signature in a local system as a way to document that the signature was obtained. Options for electronic or digital signatures could include but are not limited to the use of applications such as HelloSign, DocuSign, Adobe Sign

**Q-12 (c): Is it permissible to provide services to a child with an IEP through video conferencing with only one student and one staff member present on the video call?**

**A-12 (c):** Special education administrators should make local decisions on how to serve students as part of the district's flex learning and this can include 1:1 services. Administrators should consider precautions such as asking a caregiver to join the child or be in the same space with the child when the child is receiving 1:1 services. Many video conferencing systems (including Zoom) permit recording and an administrator could consider asking district educators to record 1:1 video meetings with a student.

When making this decision, note that video recordings maintained by the school that contain information directly relating to the student could be considered education records under the Family Educational Rights and Privacy Act and treated accordingly. An administrator could decide to use classified staff to join 1:1 video meetings with a child.

Special education and other district administrators should make the decision for their district that they think is best for students and staff. When using video conferencing confidentiality of student information should be maintained including ensuring only the parties involved in the

instruction are able to see and hear the session and others that may be present in those locations where parties are broadcasting from are not able to hear or see the session.

Additional resources regarding FERPA and using online platforms:

[https://studentprivacy.ed.gov/sites/default/files/resource\\_document/file/FERPA%20%20Virtual%20Learning%20032020\\_FINAL.pdf](https://studentprivacy.ed.gov/sites/default/files/resource_document/file/FERPA%20%20Virtual%20Learning%20032020_FINAL.pdf)

<https://studentprivacy.ed.gov/resources/protecting-student-privacy-while-using-online-educational-services-requirements-and-best>

Checklist:

[https://studentprivacy.ed.gov/sites/default/files/resource\\_document/file/TOS\\_Guidance\\_Mar2016.pdf](https://studentprivacy.ed.gov/sites/default/files/resource_document/file/TOS_Guidance_Mar2016.pdf)

### **Flex Learning or Alternate Delivery Options**

**Q-13: What resources are available to support teachers in delivering flex learning options to students?**

**A-13:** The South Dakota Department of Education has gathered a list of resources by content area to support educators who may need to access additional resources to support flex learning while schools are closed due to COVID-19. The department is not endorsing any of the listed resources nor has the department thoroughly vetted them for alignment to content standards. Schools and teachers should review the resources carefully to determine if they are appropriate. Educators can access the resources via this [Google doc](#).

The K-12 Data Center has services and platforms available for schools to assist with flex learning efforts. Please see the “Technology” section of this document.

In addition, TIE has gathered and organized a variety of resources to support the transition to online learning. The website is: <https://sites.google.com/tiegapps.net/onlinelearning/>

The E-Learning Center at Northern State University has created a website that contains lessons for high school math, English language arts, science, and social studies. For each lesson, there is a viewable video, a downloadable video for sharing with students, and a link to resources to support the lesson. Additional content will be posted going forward; teachers should check back often. Teachers are invited to use the site as they see fit. Access to the website has been sent out to all curriculum director contacts

As additional resources are identified, DOE will share those via listservs and other means.

**Q-13 (a): Does the Department of Education have any best practice recommendations regarding flex learning?**

**A-13 (a):** Based on conversations with school leaders across the state, as well as examples from other states, the state DOE has created flex learning guidelines for South Dakota schools. These guidelines are meant to assist school leaders think through what implementation of flex learning looks like at the local level. The document is available [here](#) and posted on our coronavirus

webpage at <https://doe.sd.gov/coronavirus/> A number of school leaders have indicated their willingness to assist other schools with implementation. Please contact [Becky Nelson](#) if you are interested.

**Q-14: The Centers for Disease Control and Prevention are currently suggesting limiting mass gatherings. How does that guidance interact with teachers coming into a school building to prepare flex learning packets for delivery to students?**

**A-14:** Use common sense and consider the health and safety of staff. Have you completed the deep cleaning of the facility? Are teachers working in small groups throughout the facility (eg., three 3<sup>rd</sup> grade teachers collaborating in one classroom)? Are the teachers healthy and not in a high-risk group for the virus? Read the most recent guidance for mass gatherings and events on the Centers for Disease Control and Prevention website or find the link on our website at <https://doe.sd.gov/coronavirus/>, and take common sense measures to mitigate risk.

**Q-14 (a): When a school is sending out/receiving paper packets to/from students, what are the recommended protocols?**

**A-14 (a):** When sending out paper packets to students, schools should remind families to use CDC recommended hygiene practices. When handling collection of paper materials turned in by students, current research indicates a maximum of 48 hours for virus decay on cardboard products. [See the research](#). Best practices for schools would be to isolate submitted paper materials for 24 to 48 hours. If no space is available, place items in a bag for 24 to 48 hours. Wear gloves when handling submitted paper materials.

**Q-14 (b): When students return materials – books, papers and electronics – used to accomplish flex learning, are there recommendations for cleaning or disinfecting these items?**

**A-14 (b):** For paper materials, see Q-14 (a) above.

Regarding electronics, the following information is from the CDC's [Cleaning and Disinfection for Community Facilities](#). For electronics such as tablets, touch screens, keyboards, remote controls, and ATM machines, remove visible contamination if present.

- Follow the manufacturer's instructions for all cleaning and disinfection products.
- Consider use of wipeable covers for electronics.
- If no manufacturer guidance is available, consider the use of alcohol-based wipes or sprays containing at least 70% alcohol to disinfect touch screens. Dry surfaces thoroughly to avoid pooling of liquids.

## **Meeting Credit Requirements**

**Q-15: What will the impact of prolonged school closure be on graduation requirements, including at the district, state, NCAA levels?**

**A-15:** Whether a student has met sufficient time in any given course-mastered standards is a local decision. Diplomas are awarded at the district level, and it is up to each school district to set the requirements for course time and diplomas, within the parameters set out by the state in instructional hours and graduation requirements (Unit of Credit Links: [ARSD 24:43:01:01 \(53\)](#), [Waivers: Unit of Credit](#); [Graduation Requirements Link: 2018 High School Graduation Requirements](#)).

**Q-16: How can a school keep students on track with coursework that is designed to be hands-on, such as welding or construction courses, that cannot be replicated at home?**

**A-16:** Career and technical education (CTE) standards are designed to be flexible in their implementation. How courses are put together and how the standards are met, including the mix of standards in each class, is a local decision. Understanding that students will lose hands-on learning time in the CTE classroom, consider flexible learning strategies that help students stay on track while school is closed and students cannot participate in activities such as welding, constructions, etc. Many education providers are also offering online resources for educators and students that may work for your teachers. Ultimately, whether a student has met sufficient time in the course and standards to have earned credit for a course is a local decision.

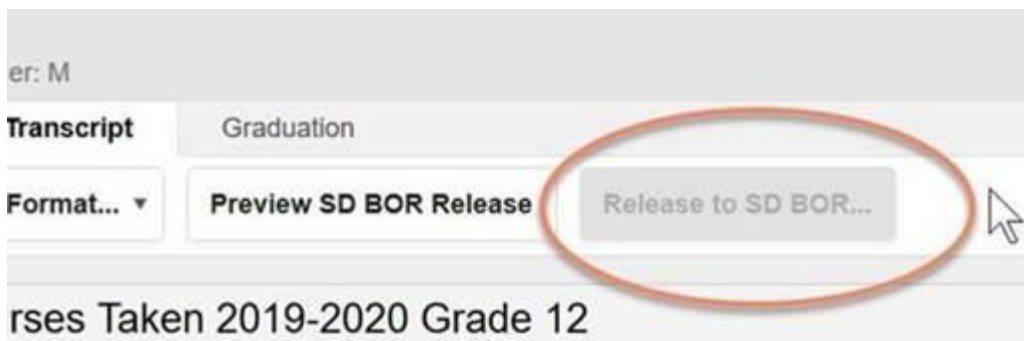
**Q-17: How can students who are enrolled in Capstone Experience courses that normally have a worksite component meet course requirements this semester, in particular at worksites that are now closed to outside individuals?**

**A-17:** The standards in Capstone Experience courses are designed with flexibility to encompass a wide range of activities and learning strategies. The standards do not require a set amount of time in a workplace or a specific means of meeting the standards. Consider flexible learning options, including virtual providers and working with remote technology with community members (i.e., phone calls, video conference/chat, etc.), to allow students to meet work-based learning standards. Ultimately, how a student meets standards and the extent of the standards met in order to earn credit for a course is a local decision.

**Q-17 (a): How should schools send out transcripts to meet scholarship and entrance requirement needs for students during the closure?**

**A-17 (a):** How a school transmits student transcripts is a local decision. Schools should ensure that student information is sent via a secure mechanism. If your school lacks the ability to send encrypted emails, ask the requestor by what means you can send transcripts securely. If a signed, official copy is not required, students have the option to print their own transcripts from Infinite Campus.

Please note that there are two transcript options in Infinite Campus – an official Board of Regents transcript and, if your school has chosen this option, a district-designed transcript. You can continue to release the BOR transcript, as noted in the screenshot below.



### **Meals for Students**

**Q-18: Our school is interested in continuing food service programs. What is the process?**

**A-18:** South Dakota has received several waivers from the U.S. Department of Agriculture providing flexibility for school food service programs. This will allow for certain school food services to continue during this time of unexpected school closures. For detailed information about this process, please visit <https://doe.sd.gov/coronavirus/foodservice.aspx> and look for "Announcements Regarding Coronavirus/COVID-19." You can also call our Child and Adult Nutrition Services Office at (605) 773-3413, leave a message, and someone will return your call.

**Q-19: If approved to continue food service during time of unexpected school closure, how should we serve the meals?**

**A-19:** Meals do not need to be served in a group setting, like typical school cafeteria meal service. Meals may be served to encourage "social distancing." Some examples include:

- "Grab and Go" -- A child may come to the feeding site to pick up a meal that is not immediately eaten at the site.
- "Drive Thru"-- A family may drive up to a feeding site with their children to pick up a meal. The family drives away to eat the meal somewhere else.
- Meals delivered to low income neighborhoods for pick-up by families. A school food authority or sponsor agency can drive meals to an area for distribution to eligible children. The children take the meals away from the distribution site to eat elsewhere.
- Meals delivered on normal bus routes for families to pick up.

**Q-20: How should my Seamless Summer Option (SSO) closed enrolled site keep a meal count of only my district's enrolled student meals?**

**A-20:** Many schools are using a printed list of student names or using their normal point of service system. Please keep in mind that you are trying to prevent people from passing sickness along. If using a PIN, how are you disinfecting between students or can an adult enter the PIN for the student?

**Q-21: What should I enter into my point of sale computer system to get the free meals entered?**

**A-21:** Please work with your software vendor to temporarily allow free meals for all students. If your software vendor is unable to do this in your system, you may need to work with your business official to determine an acceptable method to keep these meal counts on file for audits and program reviews.

**Q-22: What numbers do I submit for meal reimbursement for breakfast and lunch? Can I submit an estimate or the number of meals I prepare?**

**A-22:** No, your claim can only include reimbursable meals served to eligible children. Just like in normal school operations, you cannot claim an estimate, or the number of meals prepared, but not served.

### **Miscellaneous**

**Q-23: How can students receive access to school counselors?**

**A-23:** If your school district chooses to provide virtual school counseling services, the American School Counselor Association (ASCA) has guidance and resources available.

- [Planning for Virtual/Distance School Counseling During an Emergency Shutdown](#)
- [ASCA Update: COVID-19 \(Virtual counseling resources and ethics\)](#)
- [COVID-19 Resources \(Suggestions and resources for providing support to students\)](#)

**Q-23 (a): When providing virtual services during COVID-19 extended school closure, are there flexibilities to HIPAA laws?**

**A-23 (a):** If you have a staff person or contractor who operates as a covered health provider for purposes of HIPAA and who has been providing student health-related services, the Office of Civil Rights for the Department of Health and Human Services has issued guidance for use of telehealth technologies.

<https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html>

This guidance includes a list of preferred vendors and a list of those public facing communications that are not allowed.

For a list of who qualifies as a covered health provider, use this link:

<https://www.hhs.gov/hipaa/for-professionals/special-topics/hipaa-act/index.html>

**Q-24: We have Hutterite Colony schools in my district that do not allow internet access. What should instruction look like for these students?**

**A-24:** Just as schools are finding ways to facilitate instruction with their other buildings, it is important that instruction continues for Hutterite Colony students as well. Work closely with Colony leaders to determine the best course of action for your locality.

**Q-25: What if my school re-opens and a parent chooses not to send their student because of concerns about coronavirus (eg., close family member is at high-risk for COVID)?**

**A-25:** State law requires any person in control of a child of compulsory school age to ensure that the child attends school regularly. (SDCL 13-27-11). The school should ask the family for an excuse from the appropriate medical professional, or they may seek an exemption certificate from public school instruction.

**Q-26: Will the deadline for Workforce Education Grants be extended?**

**A-26:** Yes. We are extending the deadline until 10am Central on April 3, 2020. Please contact Kara Schweitzer at [kara.schweitzer@state.sd.us](mailto:kara.schweitzer@state.sd.us) with any questions.

**Q-26 (a): Does the CDC have specific cleaning/disinfecting recommendations for schools?**

**A-26 (a):** The Centers for Disease Control and Prevention has a helpful resource titled “Cleaning and Disinfection for Community Facilities.” It is updated as new information becomes available. You can access it [here](#) or via the South Dakota Department of Education’s coronavirus webpage at <https://doe.sd.gov/coronavirus/>

## **Technology**

**Q-27: What services are available through the K-12 Data Center to assist my school with flex learning delivery?**

**A-27:** Below is a list of services available to South Dakota schools through the K-12 Data Center at Dakota State University.

**Google Apps:** Google Classroom is available to all K-12 users with Google Apps enabled. A series of Getting Started docs for teachers is available in [FAQ 1401](#). Google has enabled advanced features for Hangouts through July 1, 2020. With these features, users can record meetings, include up to 250 users per call, and livestream meetings for up to 100,000 domain users.

**Office 365:** Microsoft Teams Classes can be created by users with Microsoft Teams enabled. A series of Getting Started docs for teachers is available in [FAQ 1402](#). Teams and Skype can also be used for remote meetings and desktop sharing.

**Media Storage:** Media files can be stored in Google Drive, Microsoft OneDrive, and Microsoft Stream. More information is available in [FAQ 1388](#).

**Q-28: Where can my technology staff get assistance with their questions regarding the services above, as well as other tech-related concerns?**

**A-28:** Staff of the K-12 Data Center are available to answer questions. Please [create a support ticket](#) or email [help@k12.sd.us](mailto:help@k12.sd.us). Below are links to several specific FAQs.

**For Google Apps**

- Use [FAQ 1188](#) to manage services

**Note:** If Google Apps is enabled for users, Google Classroom is automatically enabled.

**For Office 365**

- Use [FAQ 1176](#) to set defaults for new users
- Use [FAQ 1375](#) to enable or disable services in bulk

**Note:** Enabling Microsoft Teams gives users access to create teams. To limit this access for students, see [FAQ 1386](#).

**Q-28 (a): What's the best way to manage the various online services being used by teachers and students?**

**A-28 (a):** With the quick transition to online learning, it's possible you may not be aware of all the online services being used by your teachers. It's important to have an inventory of all the online tools and services used in your district, as any breaches or issues with those services could potentially harm students. We are also hearing that some teachers are using so many different services that parents and students are getting frustrated.

*Recommendation of K-12 Data Center:*

- Survey teachers and compile a full list of all online services being used
- Review the security and privacy policies for each service to ensure they meet district standards
- Consider standardizing on a set of online tools and services vetted by your district's tech staff and administration; stick to the basics
- Avoid online services that require personal information in order for students to sign-up or register

**Q-28 (b): Are the online services used by your teachers FERPA compliant?**

**Q-28 (b):** While Google Apps/G Suite for Education and Microsoft Office 365 services comply with FERPA regulations, other online services may not. It's important to make sure each online service adheres to FERPA regulations. If applicable, you may also need to check for HIPAA compliance.

*Recommendation of K-12 Data Center:*

- Review each online service to ensure compliance.
- Avoid any online service that is not compliant.
- Additional resources: <https://doe.sd.gov/ferpa.aspx>

**Q-28 (c): Many online service providers are offering their products for free for a limited time. What happens when those offers expire?**

**A-28 (c):** While free online services are very helpful during a crisis, you'll want to make a plan for either continuing to offer or transitioning away from those services once there's a cost involved.

*Recommendation of the K-12 Data Center:*

- Start planning now for how and when you will transition away from limited-time offers
- Create a budget to pay for services once they're no longer free
- Consider using services that will remain free or that you're already paying for (eg. Google Apps/G Suite for Education, Microsoft Office 365).

**Q-28 (d): With many teachers using social media as a way to stay connected with students, what's the best way to manage these interactions?**

**A-28 (d):** With the challenges of staying connected remotely, teachers may be using social media apps (Facebook, Snapchat, etc.) to connect with students.

*Recommendation of the K-12 Data Center:*

- Consider alternate methods for connecting with students
- Ensure the district has a social media policy for school employees

## **Employment**

**IMPORTANT NOTE:** *Answers in this section are subject to change. Many variables can affect a worker's eligibility and an employer's liability for unemployment benefits. The Department of Labor and Regulation examines each case on an individual basis and makes determinations in accordance with the law.*

**Q-29: Can school districts use their federal funds to compensate employees during school closures?**

**A-29:** While we do not have clear guidance from the federal level at this time (3/27/2020), our understanding is that if a state, district or other recipient of federal funds has a policy of paying employees during a closure, it should follow that policy for its federally funded staff as well. In other words, a school district may use its federal funds (from U.S. Department of Education) to pay its federally funded staff during a closure, if it uses state or local funds to pay state and locally funded staff during the closure. For example, if state funds will pay state-funded staff during a closure, then Title I funds can pay Title I-funded staff, Title II funds can pay Title II-funded staff, IDEA funds can pay IDEA-funded staff, etc. This approach would be similar to guidance issued during the H1N1 situation in 2009.

**Q-30: Is it acceptable for schools to pay classified staff their regular wage even if they are not working?**

**A-30:** Yes, you may pay employees their regular wage even if they are not working or not working their full hours. It is allowable and encouraged. Some schools are finding ways to keep their classified workers engaged doing alternate duties, which is also acceptable. If

employees are onsite, remember to be following social distancing and other Centers for Disease Control guidelines.

**Q31: Are school personnel eligible for reemployment assistance (unemployment benefits) as a result of an extended school closure?**

**A-31:** Certain school personnel may be eligible for unemployment benefits. Keep in mind that the benefit is typically half of what a person earns in a week, and the benefit is capped at \$414 per week. Please visit the Department of Labor and Regulation's COVID-19 Reemployment Assistance page for more detailed information at [https://dlr.sd.gov/ra/covid\\_19\\_ra\\_eligibility.aspx](https://dlr.sd.gov/ra/covid_19_ra_eligibility.aspx). Questions can be emailed to [dlrradivision@state.sd.us](mailto:dlrradivision@state.sd.us).

**Q-32: Are substitute teachers eligible for unemployment?**

**A-32:** Substitute teachers are considered employees, and therefore may be eligible for unemployment insurance. This is a possibility, not a guarantee.

**Q-33: If a classified staff member applies for unemployment, do we keep paying their health benefits?**

**A-33:** Yes. Employers may continue to pay health insurance.

**Q-34: Can classified staff be paid now to do work later?**

**A-34:** Yes. However, the payment should be made no more than 30 days in advance of the work to be completed. Income provided in advance should come with clearly stated expectations for work to be completed later. State law requires employees be paid at least once each calendar period unless otherwise agreed upon. If you agree in advance to a different pay day, that is acceptable under South Dakota statutes.

**Q-35: Are individuals required to use leave before applying for unemployment benefits?**

**A-35:** Individuals are not required to use leave before applying for unemployment benefits. That said, unemployment is not intended to be used as paid sick leave and an individual may want to consider using leave as an alternative to unemployment. Leave would allow them to access their full wage whereas unemployment is only about 50 percent of their weekly wage.

**Q-36: I heard that the President has signed an emergency paid leave law that will provide relief for employees, including those who work in schools? Where can I find information?**

**A-36:** President Trump signed the Federal Families First Coronavirus Response Act on March 18, 2020. It takes effect on April 1, 2020. A summary of key provisions impacting employers can be found here:

[https://dlr.sd.gov/employment\\_laws/publications/families\\_first\\_coronavirus\\_response\\_act.pdf](https://dlr.sd.gov/employment_laws/publications/families_first_coronavirus_response_act.pdf)

The text of the legislation can be found here:

<https://www.congress.gov/bill/116th-congress/house-bill/6201>

Further guidance, including Fact Sheets, Q&A's, and model posters required under the Act can be found here on the US DOL website: <https://www.dol.gov/agencies/whd/pandemic>

**Q-37: Does a school board need to take official action on changes in pay?**

**A-37:** Yes. If any changes to the rate of an employee's pay or the timeline of payment dates are made, it requires school board action. Also, if any changes to a collective bargaining negotiated agreement are considered, they must have school board consideration and that of the local bargaining unit. For more information, consult your school attorney or the Associated School Boards of South Dakota.

### **Certification**

**Q-38: My educator certification is set to expire on July 1, 2020. Does the Department of Education plan to extend the renewal date?**

**A-38:** There are no plans to extend the renewal date of July 1, 2020, for those whose certificates expire this year. While the certificates will expire on that date, the holders have until Oct. 1, 2020, before the certificate becomes invalid. These deadlines remain in effect. The Department of Education's Certification website provides resources for earning transcribed credits and continuing education contact hours.

### **Teacher Evaluation**

**Q-39: Are districts required to complete teacher evaluations for the 2019-20 school year?**

**A-39:** The Governor has signed an Executive Order to waive definition (6)(b) of Administrative Rule 24:57:01:01, which is the student learning objectives (SLO) component of the state teacher evaluation model. What this means: Districts are required to complete teacher evaluations based on the professional practices component only. Districts can choose to base the professional practice rating on the information and data they have gathered thus far in the year, or they may choose to continue to collect data and information. Districts that combine the professional practice rating and SLO rating will need to adjust their procedures.